



Planning Guidance Memo

Vol. 1 No.5

December 8, 2004

Periodic guidance from Statewide Planning for Municipal Planning Officials and Staff

State Review of Affordable Housing Plan Amendments to the Local Comprehensive Plan

Introduction

This Guidance Memo provides local officials involved in the comprehensive planning process with information on the Statewide Planning Program's requirements and additional requests relative to submitting municipally-adopted Affordable Housing Plans for State review.

Affordable Housing Plans Required by December 31, 2004

Under legislation passed by the General Assembly in January 2004, affordable housing plans must be developed by 29 communities affected by the legislation, adopted as a component of the Housing Element of the Local Comprehensive Plan, and submitted to the Statewide Planning Program for State review no later than December 31, 2004.



To date, eight communities have submitted their plans for State review. For the benefit of towns which have not yet submitted their plans, this memo provides information on submission of their plans, and information for all relative to steps for facilitating the review of these plan amendments.

Submission Requirements

Local Affordable Housing Plans are to be adopted and submitted for State review as amendments to the Local Comprehensive Plan, following the procedures established under the [Local Comprehensive Planning and Land Use Regulation Act of 1989](#), as amended, and regulations promulgated by the State Planning Council pursuant to the Act. [These regulations are published by the Statewide Planning Program as [Handbook 16: Standards for the Local Comprehensive Plan, 1989](#) (as amended through June 2004) – available on Statewide Planning's website].

A [web page summarizing submission requirements](#) and providing downloadable forms is now available on Statewide Planning's website. Several specifics on submissions:

- **Send submissions to:**

All Affordable Housing Plan Amendment submissions should be sent to:

RI Statewide Planning Program

One Capitol Hill

Providence, RI 02908-5870

ATTN: Kevin Nelson

(Note: Cover letters may be addressed to John P. O'Brien, Chief, R.I. Statewide Planning Program)

- **Submission Format:** To expedite the State Review Process, Statewide Planning is requesting that an acceptable electronic version and three (3) printed copies of the approved plan amendment be provided. Acceptable electronic versions are Microsoft Word (.doc) and Adobe Portable Document File (.pdf) formats. Electronic submissions must be of the complete amendment, as approved, including all graphics, appendices, etc. Electronic files should be provided on a clearly labeled Compact Disk (CD). Subsequent revisions to the amendment made to address State comments should also be submitted in electronic format and, in order to expedite review turnaround, should include highlighting (strikethrough/ underlining) to flag changes made. If a municipality cannot provide an acceptable electronic version of its documents it should contact Statewide Planning to determine the number of printed copies that must be submitted.

- **Cover Sheet:** Affordable Housing Plan Amendments submitted for State Review must be accompanied by a completed "Request for Review" form. An electronic version of this form is available for downloading on the Statewide Planning website. A transmittal cover letter is also recommended (see "Process Documentation" below).

- **Process Documentation – Appendix D:** Comprehensive Plan documents submitted for State Review are required to include a completed “Appendix D” [from Handbook 16] to document that the municipality has adhered to the procedural requirements for review and approval. Although submission of process-documentation materials (e.g., Certified copies of the Ordinance approving the Amendment, Minutes of Planning Board and Town Council hearings and meetings held on the Amendment) is generally a prerequisite to acceptance for State review, an exception will be made for Affordable Housing Plan Amendments.

Affordable Housing Plan Amendments that are submitted under a Town's official cover letter indicating they have been locally-approved in accordance with applicable law will be docketed and accepted for review. *Therefore, Towns are advised that they should not delay submission of their locally-approved Affordable Housing Plans until such time as certified process-related documents are available for submission. Any required process documentation that is not included in the initial submission will be requested by Statewide Planning from the municipality and must be provided prior to final State action being taken on a locally-adopted Affordable Housing Plan.*

- **(Optional) Electronic Checklist:** To assist communities that have not yet submitted their plans to assure that they have touched upon all the required items in the State review checklist, and to assist State agencies in conducting an expedited review of their plans once submitted, an electronic (Microsoft Excel) version of the State review checklist has been sent by email to all affected communities and is available on the Statewide Planning website. At their option, communities may use this form to provide references to pages in their plans on which documentation relating to the various State review checklist items can be found.
- Completion of this electronic form is voluntary, but it would assist and expedite the State review process by highlighting the sections and pages that State agency reviewers should key in on. This will allow any areas that need to be addressed to be noted quickly, and comments returned for consideration by communities as

early in the review process as possible. (Note that supplying this information does not mean that the plans will not be read and considered in their entirety, but it will help in assuring that the most critical and relevant information can be quickly found and assessed.)

Expediting the State Review

Although locally-adopted affordable housing plans submitted as amendments to local comprehensive plans will be reviewed in accordance with the procedures and schedules established in the Comprehensive Planning Act (45-22.2-9(c) -see box below), Statewide Planning will be looking to expedite the review process wherever possible so that the municipality may have the benefit of State agency comments as soon as practical.

To this end, Statewide Planning will endeavor to provide initial State comments -- representing the reviews of Statewide Planning and RI Housing -- within 35 days of receipt of the municipality's approved Affordable Housing Plan. Such initial comments will not constitute the State's entire review, nor represent its final action on the amendment. However, if deficiencies relative to State standards are identified in the initial State comments provided, the municipality is encouraged to undertake revisions to address them, and to return draft revisions for review as soon as possible. (*e.g., not to wait for 60 days after receipt of the State's formal Review Process Report to submit revisions*)

State Review Process Timeline as Established in the Comprehensive Planning Act (45-22.2-9(c))

- Submission of municipally-adopted plan to Statewide Planning Program
- 15 days completeness review/public notice posting
- 30 days for public comment period
- 30 days for state review and notification of municipality of any deficiencies (if less than 3 plan elements affected by the amendment)
- 60 days for municipal correction of identified deficiencies (may be extended by mutual state-municipal agreement)
- 30 days for state to review corrections submitted and for Director to render "final" decision

Total: 165 days max.

See column above for information on expediting this process for review of Affordable Housing Plans

This extraordinary, expedited review procedure is being offered in the interest of providing feed back to municipalities as soon as possible so that they will have an opportunity to submit any revisions needed to gain State approval for their Affordable Housing Plans prior to June 30, 2005 (when the moratorium on new "for-profit" comprehensive permit applications expires).

Status Reports Also Due 12-31-04

Municipalities affected by the February 2004 amendments to the Low and Moderate Income Housing Act are reminded that they must also submit a Status Report on their progress in preparing an Affordable Housing Plan by the end of the year. The Secretary of the municipal Planning Board or Commission is required to submit by December 31, 2004 a status report to the following three places:

- Senator Frank T. Caprio, Chair
Senate Committee on Commerce, Housing and Municipal Government
State House, Room 212
Providence, RI 02903
- Representative Brian Patrick Kennedy, Chair
House Corporations Committee
State House, Room 21
Providence, RI 02903
- John P. O'Brien, Secretary
State Planning Council
One Capitol Hill
Providence, RI 02908

The format for Status Reports is not prescribed, but brevity is encouraged.

Technical Assistance

Statewide Planning continues to be available to assist affected communities with questions relative to developing their affordable housing plans. A list of liaisons/contacts for those towns whose plans have not yet been received appears below.

Further Information

Questions related to the Local Comprehensive Planning Act, and planning requirements for affordable housing plans:

- **R.I. Statewide Planning Program**
One Capitol Hill
Providence, RI 02908
www.planning.ri.gov

Questions related to the Low and Moderate Income Housing Act and qualifying units for affordable housing plans:

- **RI Housing**
44 Washington Street
Providence, RI 02903-1721
www.rihousing.com
RI Housing Staff Contact:
Annette Mann Bourne
Technical Assistance Coordinator
(401) 457-1116, voice
(401) 457-1140, fax
abourne@rihousing.com

Statewide Planning Staff contacts on Affordable Housing Plans

(Listed only for communities whose plans have not been received as of this date)

Community:	Staff contact:	Email:	Phone:
Barrington	Ronnie Sirota	rsirota@doa.state.ri.us	222-1233
Bristol	Michael Ahnrud	mahnrud@doa.state.ri.us	222-6446
Coventry	Joyce Karger	jkarger@doa.state.ri.us	222-6181
East Greenwich	Blanche Higgins	bhiggins@planning.state.ri.us	222-2079
Exeter	Bruce Vild	bvild@planning.state.ri.us	222-6485
Foster	Katherine Trapani	katherinet@mail.state.ri.us	222-6479
Glocester	Ronnie Sirota	rsirota@doa.state.ri.us	222-1233
Hopkinton	Michael Ahnrud	mahnrud@doa.state.ri.us	222-6446
Jamestown	Vincent Flood	vflood@planning.state.ri.us	222-1243
Johnston	Nancy Hess	nhess@doa.state.ri.us	222-6480
Little Compton	Kevin Nelson	knelson@doa.state.ri.us	222-2093
Middletown	George Johnson	gjohnson@planning.state.ri.us	222-6490
North Kingstown	Michael Moan	mmoan@planning.state.ri.us	222-1236
North Smithfield	Kevin Nelson	knelson@doa.state.ri.us	222-2093
Portsmouth	Bruce Vild	bvild@planning.state.ri.us	222-6485
Richmond	Derry Riding	driding@doa.state.ri.us	222-3949
Scituate	Derry Riding	driding@doa.state.ri.us	222-3949
Tiverton	Walter Slocomb	wslocomb@doa.state.ri.us	222-1237
West Greenwich	Michael Moan	mmoan@planning.state.ri.us	222-6446
Westerly	Blanche Higgins	bhiggins@planning.state.ri.us	222-2079

